

01-12.05

IFW#

Attorney's Docket No.: 17601-043001 / 067083.0205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick
Serial No. : 10/630,345
Filed : July 29, 2003
Title : METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN DEPOSITS
FROM THE SURFACE AND TOOLS THEREFOR

Art Unit : 3673
Examiner : John J. Kreck

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant submits the attached form PTO-1449 accompanied by copies of any foreign patent documents and non-patent literature. A copy of a communication from a foreign patent office in a related application is also enclosed.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed. Please apply any deficiencies or any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

Date: _____

1/11/05

Joshua A. Griswold
Reg. No. 46,310

Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, Texas 75201
Telephone: (214) 292-4034
Facsimile: (214) 747-2091

90105640.doc

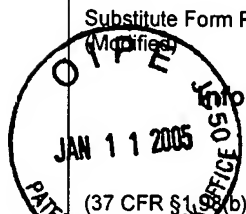
01/14/2005 MBERHE 00000049 10630345
01 FC:1806 180.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV437631748US

January 11, 2005

Date Deposit

| | | | |
|---|--|---------------------------------------|-------------------------------|
| Substitute Form PTO-1449 (Modified)  Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR § 1.96(b)) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17601-043001 | Application No. 10/630,345 |
| | Applicant Joseph A. Zupanick | | |
| | Filing Date July 29, 2003 | Group Art Unit 3673 | |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|-----------------|------------------|----------------|-------|----------|----------------------------|
| | A1 | 3,744,565 | 07/10/1973 | Brown | | | |
| | A2 | 4,060,130 | 11/29/1977 | Hart | | | |
| | A3 | 4,417,829 | 11/29/1983 | Berezoutzky | | | |
| | A4 | 4,889,186 | 12/26/1989 | Hanson et al. | | | |
| | A5 | 5,676,207 | 10/14/1997 | Simon et al. | | | |
| | A6 | 6,237,284 | 05/29/2001 | Erickson | | | |
| | A7 | 2002/0043404 A1 | 04/18/2002 | Trueman et al. | | | |
| | A8 | 2004/0140129 A1 | 07/22/2004 | Gardes | | | |
| | A9 | 2004/0226719 A1 | 11/18/2004 | Morgan et al. | | | |

Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation | |
|------------------|-----------|-------------------|------------------|--------------------------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | B1 | EP 1 316 673 A2 | 06/04/2003 | EPO | | | N/A | |
| | B2 | SU-876968 | 10/30/1981 | Russia | | | Y | |
| | B3 | 442,008 | 01/23/1936 | United Kingdom | | | N/A | |
| | B4 | 444,484 | 03/17/1936 | United Kingdom | | | N/A | |
| | B5 | 651,468 | 04/04/1951 | United Kingdom | | | N/A | |
| | B6 | 893,869 | 04/18/1962 | United Kingdom | | | N/A | |
| | B7 | WO 2004/035984 A1 | 04/29/2004 | WIPO | | | N/A | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|------------------|-----------|--|
| | C1 | Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (5 pages) and Written Opinion of the International Searching Authority (6 pages) re International Application No. PCT/US2004/012029 mailed September 22, 2004 |
| | C2 | Brunner, D.J. and Schwoebel, J.J., "Directional Drilling for Methane Drainage and Exploration in Advance of Mining," REI Drilling Directional Underground, World Coal, 1999, 10 pages |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

| | | | |
|--|--|---------------------------------------|-------------------------------|
| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17601-043001 | Application No. 10/630,345 |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | | Applicant Joseph A. Zupanick | |
| | | Filing Date July 29, 2003 | Group Art Unit 3673 |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
|---|-----------|--|
| Examiner Initial | Desig. ID | Document |
| | C3 | Thakur, P.C., "A History of Coalbed Methane Drainage From United States Coal Mines," 2003 SME Annual Meeting, February 24-26, Cincinnati, Ohio, 4 pages |
| | C4 | U.S. Climate Change Technology Program, "Technology Options for the Near and Long Term," 4.1.5 Advances in Coal Mine Methane Recovery Systems, pp. 162-164 |
| | C5 | Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (3 pages) and Written Opinion of the International Searching Authority (7 pages) re International Application No. PCT/US2004/017048 mailed October 21, 2004 |
| | C6 | Gardes, Robert, "Multi-Seam Completion Technology," Natural Gas Quarterly, E&P, June 2004, pp. 78-81 |
| | C7 | Baiton, Nicholas, "Maximize Oil Production and Recovery," Vertizontal Brochure, received 10/2/2002, 4 pages |
| | C8 | Dreiling, Tim, McClelland, M.L. and Bilyeu, Brad, "Horizontal & High Angle Air Drilling in the San Juan Basin, New Mexico," Dated on or about 3/6/2003, pp. 1-11 |
| | C9 | Fong, David K., Wong, Frank Y., and McIntyre, Frank J., "An Unexpected Benefit of Horizontal Wells on Offset Vertical Well Productivity in Vertical Miscible Floods," Canadian SPE/CIM/CANMET Paper No. HWC94-09, paper to be presented March 20-23, 1994, Calgary, Canada, 10 pages |
| | C10 | Fischer, Perry A., "What's Happening in Production," World Oil, June 2001, p. 27 |
| | C11 | Website of PTTC Network News Volume 7, 1 st Quarter 2001, Table of Contents, http://www.pttc.org/./news/v7n1nn4.htm printed 04/25/2003, 3 pages |
| | C12 | Cox, Richard J.W., "Testing Horizontal Wells While Drilling Underbalanced," Delft University of Technology, August 1998, 68 pages |
| | C13 | McLennan, John, et al., "Underbalanced Drilling Manual," Gas Research Institute, Chicago, Illinois, GRI Reference No. GRI-97/0236, copyright 1997, 502 pages |
| | C14 | The Need for a Viable Multi-Seam Completion Technology for the Powder River Basin, Current Practice and Limitations, Gardes Energy Services, Inc., Believed to be 2003 (8 pages) |
| | C15 | Langley, Diane, "Potential Impact of Microholes Is Far From Diminutive," JPT Online, http://www.spe.org/spe/jpt/jps , November 2004 (5 pages) |
| | C16 | Consol Energy Slides, "Generating Solutions, Fueling Change," Presented at Appalachian E&P Forum, Harris Nesbitt Corp., Boston, October 14, 2004 (29 pages) |
| | C17 | Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (3 pages), and Written Opinion of the International Searching Authority (5 pages) re International Application No. PCT/US2004/024518 mailed November 10, 2004 |
| | C18 | Schenk, Christopher J., "Geologic Definition and Resource Assessment of Continuous (Unconventional) Gas Accumulations - the U.S. Experience," Website, http://aapg.confex.com/.../ , printed November 16, 2004 (1 page) |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

| | | | |
|--|--|--|--------------------------------------|
| Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17601-043001 | Application No. 10/630,345 |
| | Applicant Joseph A. Zupanick | | |
| | Filing Date July 29, 2003 | Group Art Unit 3673 | |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
|---|-----------|--|
| Examiner Initial | Desig. ID | Document |
| | C19 | U.S. Department of Interior, U.S. Geological Survey, "Characteristics of Discrete and Basin-Centered Parts of the Lower Silurian Regional Oil and Gas Accumulation, Appalachian Basin: Preliminary Results From a Data Set of 25 oil and Gas Fields," U.S. Geological Survey Open-File Report 98-216, Website, http://pubs.usgs.gov/of/1998/of98-216/introl.htm , printed November 16, 2004 (2 pages) |
| | C20 | Zupanick, J., "Coalbed Methane Extraction," 28 th Mineral Law Conference, Lexington, Kentucky, October 16-17, 2003 (48 pages) |
| | C21 | Zupanick, J., "CDX Gas – Pinnacle Project," Presentation at the 2002 Fall Meeting of North American Coal Bed Methane Forum, Morgantown, West Virginia, October 30, 2002 (23 pages) |
| | C22 | Lukas, Andrew, Lucas Drilling Pty Ltd., "Technical Innovation and Engineering Xstrata – Oak Creek Coal Pty Limited," Presentation at Coal Seam Gas & Mine Methane Conference in Brisbane, November 22-23, 2004 (51 pages) |
| | C23 | Field, Tony, Mitchell Drilling, "Let's Get Technical – Drilling Breakthroughs in Surface to In-Seam in Australia," Presentation at Coal Seam Gas & Mine Methane Conference in Brisbane, November 22-23, 2004 (20 pages) |
| | C24 | Zupanick, Joseph A, "Coal Mine Methane Drainage Utilizing Multilateral Horizontal Wells," 2005 SME Annual Meeting & Exhibit, February 28 – March 2, 2005, Salt Lake City, Utah (6 pages) |
| | C25 | The Official Newsletter of the Cooperative Research Centre for Mining Technology and Equipment, CMTE News 7, "Tight-Radius Drilling Clinches Award," June 2001, 1 page |

| | |
|--|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |